

MEETING OF APRIL 3, 2007

AGENDA ITEM: 6B



Application No.: PA 2007-0002

Application Type: Amendment of Zoning Ordinance -
“Business, Professional, and Trade Schools” in the M-1
Limited Manufacturing District.

Location: City-wide

Applicant: Joel Patterson, AICP

Environmental Determination: Negative Declaration

Introduction

This Zone Text Amendment to allow “Business, Professional and Trade Schools” in the M-1 Limited Manufacturing District is being proposed by a private property owner. Currently, this type of use is not permitted within the M-1 district, but is allowed with a Conditional Use Permit in the SC - Schools and Compatible Uses District.

This request is being processed in accordance with Section 9.5.1 of the Belmont Zoning ordinance, “Addition to the List of Permitted Uses – Or Conditional Uses.”

Analysis

Presently, business, professional, and trade schools are specifically prohibited from residential zones, whereas other types of academic schools are permitted with a Conditional Use Permit in these districts. Business and Professional Schools are permitted by right in the SC Schools and Compatible Uses Zone while Trade Schools are only permitted in the SC Zone upon approval of a Conditional Use Permit. Business, Professional, and Trade Schools are not specifically listed as a permitted or conditionally permitted use in any other zoning district.

Presently staff is not aware of any specific business, professional, or trade schools operating within the City of Belmont. All SC Designated properties are typically occupied by academic school institutions. There are no predetermined criteria for deciding in which zones the subject use, “Business, professional and Trade Schools,” should be allowed.

Section 6.2 of the BZO describes the M-1 Limited Manufacturing zone as follows:

The M-1 Districts are established to provide for and encourage the grouping together of light industrial uses capable of being operated under such standards, as to location and appearance of buildings and the treatment of the land about them, that they will be unobtrusive and not detrimental to surrounding commercial or residential districts.

The following list of uses are currently permitted by right in the M-1 Limited Manufacturing District (Section 6.2.2 of the Belmont Zoning Ordinance):

- (a) Any use which is a Permitted Use in the C-4 Service Commercial Districts.
- (b) Lumber yard.
- (c) Planing mill.
- (d) Public utility, substation, public service structure, shop or storage facility including service yards.
- (e) Storage warehouse.
- (f) Light manufacturing, processing, packaging, treatment or fabrication of goods and merchandise.
- (g) Deleted.
- (h) Incidental and accessory structures and uses on the same site with and necessary to the operation of a Permitted Use.

The above listed permitted uses can be described as moderately intensive site uses that would be inappropriate for Commercial and Residential Zoning Districts.

The following list of uses is conditionally permitted in the M-1 Limited Manufacturing District (Section 6.2.3 of the Belmont Zoning Ordinance):

- (a) Animal hospitals.
- (b) Asphalt or concrete readymix plant.
- (c) Broadcasting tower for radio or television.
- (d) Disposal of garbage or waste material by sanitary land fill or fill and cover methods, or by composting or incineration.
- (e) Mobile home park.
- (f) Outdoor advertising structure as regulated by the Sign Ordinance of the City.
- (g) Storage, for wholesale or for distribution in bulk, of any flammable liquid.
- (h) Incidental and accessory structures and uses located on the same site with and necessary to the operation of a Conditional Use.
- (i) Truck storage yards and terminals.
- (j) Other uses which, in the opinion of the Planning Commission, are similar to those listed permitted uses.

Similar to the list of permitted uses in the M-1 Zone (6.2.2), the conditionally permitted uses listed above are inappropriate for the Residential or Commercial Zoning Districts. However, the above listed uses can be described as having greater potential impacts on surrounding properties than the uses that are permitted by right, and therefore the City has determined that a Conditional Use Permit must be approved by the Planning Commission prior to commencement of these uses. Approval of a Conditional Use Permit allows both Planning staff and the Planning Commission to further evaluate the proposed use and mitigate any of the potential impacts that the use may have on surrounding properties through Conditions of Approval, limiting the density of said uses, limiting the hours of

operation, and reviewing the physical site plan design.

The proposal before the Planning Commission would add “Business, Professional, and Trade Schools” to the list of conditionally permitted uses in the M-1 Zone. A school facility would bring more activity and people (students, teachers) to the manufacturing district, and could create a positive spillover effect for use of supporting commercial services in the area . The Conditional Use Permit process would provide the City with control over how each proposed business, professional or trade school will operate, therefore minimizing any potential negative impacts that these types of uses might have on an adjacent property.

An application for a CUP would be reviewed by staff and the Planning Commission to determine that the particular site is appropriate for a school facility, and to identify any conditions that are required to assure satisfactory operation. The applicable findings for a Conditional Use Permit would apply to the review of any such application:

“...that the proposed use is in accordance with the provisions of the General Plan and this Ordinance and that the following conditions have been met:

- a The location of the proposed use is compatible to other land uses in the general neighborhood area and does not place an undue burden on existing transportation, utilities and service facilities in the vicinity.*
- b The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this Ordinance.*
- c The site will be served by streets of capacity sufficient to carry the traffic generated by the proposed use.*
- d The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.*

- (Belmont Zoning Ordinance Section 11.5.1, excerpt)

Staff believes the CUP findings provide adequate authority to regulate business, professional and trade schools in that they are broad enough to encompass any possible problem.

While “Business, Professional, and Trade Schools” may be an appropriate use for the M-1 District, it would not be appropriate for these types of uses to occupy a significant portion of the City’s remaining manufacturing property. To avoid an over concentration of Business, Professional or Trade Schools in the M-1 District, staff has included language stating that a Business, Professional or Trade School shall be conditionally permitted “provided that no Business, Professional or Trade School shall be permitted when another property containing a Business, Professional or Trade School is located within 1,000 feet of the property on which the use is proposed.” Requiring a minimum property separation of 1,000 feet between any Business, Professional or Trade School will allow this use to be successful in the M-1 District while not generally inhibiting the continuance of future manufacturing opportunities in the City.

Environmental Clearance (CEQA)

The proposed Zone Text Amendment is subject to environmental review under the provisions of the California Environmental Quality Act (CEQA). An environmental impact assessment was prepared for the amendments and determined that they would have no significant impact on the environment.

Staff has included the Draft Initial Study/Negative Declaration as part of the staff report attachments.

Zone Text Amendment

Staff recommends the Commission forward to the City Council the amendments for adoption as follows:

1. Amend Section 6.2.3 (M-1 Limited Manufacturing – Conditional Uses) of the Belmont Zoning Code as follows (new text is denoted in bold *italics*, and text to be deleted is denoted in ~~strikeout~~):

6.2.3 **CONDITIONAL USES** - The following Conditional Uses shall be permitted only when authorized by a Conditional Use Permit issued in accordance with the provisions of Section 11 herein:

- (a) Animal hospitals.
- (b) Asphalt or concrete readymix plant.
- (c) Broadcasting tower for radio or television.
- (d) Disposal of garbage or waste material by sanitary land fill or fill and cover methods, or by composting or incineration.
- (e) Mobile home park.
- (f) Outdoor advertising structure as regulated by the Sign Ordinance of the City.
- (g) Storage, for wholesale or for distribution in bulk, of any flammable liquid.
- (h) Incidental and accessory structures and uses located on the same site with and necessary to the operation of a Conditional Use.
- (i) Truck storage yards and terminals.
- (j) Other uses which, in the opinion of the Planning Commission, are similar to those listed permitted uses.
- (k) ***Business, Professional, and Trade Schools, provided that no Business, professional or Trade School shall be permitted when another property containing a Business, Professional or Trade School is located within 1,000 feet of the property on which the use is proposed. Said distance shall be calculated as a straight line measured from the perimeter of the property on which the school use exists, to the perimeter of the property on which the school use is being proposed.***

Required Findings

Section 9.5.1 of the Belmont Zoning Ordinance outlines the process for adding and new use to the list of permitted or conditionally permitted uses in any district. Section 9.5.1(b) provides six required findings that are analyzed as follows:

- 1) *Will be in accord with the purposes of the district in which the use is proposed.*

The M-1 District provides for and encourages the grouping together of light industrial uses capable of being operated under such standards, as to location and appearance of buildings and the treatment of land about them, that they will be unobtrusive and not detrimental to surrounding commercial or residential uses. Business, professional and trade schools are moderately intensive land uses that do have some potential to impact surrounding properties if not maintained and operated well. While these uses would not be appropriate for the Residential or Commercial Zoning Districts, permitting them conditionally in the M-1 Limited Manufacturing District provides a reasonable alternative for location of such uses. This finding can be made in the affirmative.

- 2) *Will have the same basic characteristics as the uses permitted in the district.*

Business, professional, and trade schools, while not defined by the zoning ordinance, can be described as school facilities that offer specialized work training. A school facility is not considered a manufacturing use. However, business, professional, and trade school uses will likely have varied hours of operation, with peak usage in the evenings. The surrounding manufacturing uses (8 AM-5 PM operation) are generally not sensitive to vehicle traffic, and evening hours that would be associated with business, professional or trade schools, thus creating an acceptable blend of uses based on peak hour operation. Staff believes that this finding can be made in the affirmative.

- 3) *Will not be detrimental to the public health, safety or welfare.*

As previously noted, business, professional and trade schools are a moderately intensive land use that would not be appropriate in Residential or Commercial Zoning district where they generally could have detrimental impacts. By permitting them in the M-1 Light Manufacturing Zoning District, which allows for more intense land uses (with a Conditional Use Permit), the City can be assured that these training facilities will not have detrimental impacts on surrounding property owners. This finding can be made in the affirmative.

- 4) *Will not adversely affect the character of any district in which it is proposed to be permitted.*

Allowing business, professional and trade schools to operate in the M-1 Limited Manufacturing District would not adversely affect the character of the M-1 District, nor is it expected to adversely impact surrounding property owners. Business, professional and trade schools are less intensive than typical manufacturing uses; In addition, the Conditional Use Permit review process enables the City to mitigate and monitor any potential impacts that would otherwise affect the character of the manufacturing district. This finding can be made in the affirmative.

- 5) *Will not create more vehicular traffic than the volume normally created by any of the uses*

permitted in the district.

The size and location of any business, professional, or trade school would be regulated through the Conditional Use Permit process. However, this type of use is not expected to create more vehicular traffic than any other permitted or conditionally permitted use in the M-1 Manufacturing District. Existing permitted uses include light manufacturing facilities, lumber yards, and asphalt/concrete ready-mix plants, all of which could generate more traffic than a school facility. This finding can be made in the affirmative.

- 6) *Will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the uses permitted in the district.*

A business, professional, or trade school would generally be considered a less intense site use compared to other uses permitted in the M-1 Zone. A school facility would not create significant dust, noise, vibration, illumination, glare, or other objectionable elements that would exceed existing conditions in the M-1 Zone. This finding can be made in the affirmative.

Zone Text Amendment

Section 16 of the Zoning Ordinance provides guidelines to be followed for any Zone Text Amendment. The only required finding for a Zoning Ordinance amendment is that it must "...achieve the objectives of the Zoning Plan and the General Plan" (Section 16.5). Staff notes that there is no Zoning Plan, per se; however, the Zoning Ordinance contains a purpose statement (Section 1.1) that represents the objectives of the City's zoning regulations:

1.1 PURPOSE – The following regulations for the zoning of land within the City are hereby adopted to promote and protect the public health, safety, peace, comfort, convenience and general welfare, and to provide a precise guide for the physical development of the City.

By listing Business, Professional or Trade Schools as a conditionally permitted use in the M-1 zone, the City will provide for controlled development of local manufacturing property. The CUP process allows the City to determine if a proposed property is adequate in size and shape, if the access is safe and efficient, if the site plan is appropriate and if there are additional controls needed to assure the school facility fits into the area. Such controls can include but are not limited to hours of operation, noise generation, on- and off-street parking, neighbor relations, and publicity. All these concerns support protecting and promoting the comfort, convenience and general welfare.

General Plan Consistency

The objectives of the Belmont General Plan are contained in its “General Community Goals and Policies”, several of which (listed below) are affected by this proposal. As noted above, the Commission must determine that they are achieved by the proposed amendment language.

GENERAL COMMUNITY GOALS AND POLICIES

Goals

4. *To maintain and enhance the appearance of the City through controlling the location, timing, design and landscaping of new development and encouraging renovation of older areas.*
5. *To encourage economic development within designated areas of the community to provide jobs, services and convenience goods and to strengthen local sources of revenues.*
10. *To provide for safe and efficient movement of people and goods within the community and between the community and other areas of the region with a minimum of disruption and adverse environmental effects.*

Policies

1. *New development should be of a scale and character compatible with surrounding land uses and Belmont’s small city environment.*
2. *Intensity of use of land as measured by such factors as parcel size, population density, building coverage, extent of impervious surfaces, public service requirement parking requirements, and traffic movements should be based on the following general principles:*
 - a. *Intensity of land use should decrease as steepness of terrain and distance from major thoroughfares increase.*
 - b. *The lowest intensities of use should occur on the steep hillsides to limit storm runoff, prevent increased erosion, avoid unstable slopes, protect vegetation and watersheds and maintain scenic qualities.*
 - c. *Intensity of use of individual parcels and buildings should be governed by considerations of existing development patterns, water and air quality, accessibility, traffic generation, parking noise, fire safety drainage, natural hazards, resource conservation and aesthetics.*
 - d. *Intensity of land use should be regulated according to the availability of community facilities and services.*
5. *In the more intensely developed and accessible portions of the City, land use should be varied with creative mixing of businesses, professional offices, institutions, and residences.*
11. *On-street parking should be controlled by requiring provision of off-street parking in new developments, constructing additional off-street parking spaces, especially in*

the Central Business District and near Old County Road, preventing the conversion of space or uses to higher intensities unless adequate off-street parking is provided.

12. *Incompatible land uses should be separated by landscaped open spaces, streets or other forms of buffers.*

Staff believes that the proposed revision helps achieve these goals and policies. Specifically, requiring a Conditional Use Permit for Business, Professional, and Trade Schools in the M-1 district provides for site- and case-specific review of issues raised in the General Community Goals and Policies cited above related to:

- location, site design and landscaping
- economic development
- safe and efficient movement of goods and people
- compatible scale and character
- intensity of use (including hours of operation, security, safety)
- mixing of uses
- off-street parking
- separation of incompatible use

Conclusion

Based on this analysis, staff has concluded that adding Business, Professional and Trade Schools to the list of conditionally permitted uses in the M-1 Limited Manufacturing Zone, as discussed in this staff report, achieves the objectives of the Zoning Ordinance and General Plan, and satisfies the required findings provided in Section 9.5.1. A resolution recommending this position to the City Council is attached for Commission review and adoption.

Attachments:

1. Planning Commission resolution recommending City Council approval of Negative Declaration
2. Draft Planning Commission resolution recommending City Council approval of Zone Text Amendments
3. Negative Declaration & Initial Study (Commission Only)

Respectfully submitted,

Jennifer A. Walker
Associate Planner

Carlos de Melo
Community Development Director

RESOLUTION NO. 2007-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
RECOMMENDING CITY COUNCIL ADOPTION OF A NEGATIVE DECLARATION OF
ENVIRONMENTAL SIGNIFICANCE FOR A ZONE TEXT AMENDMENT TO SECTION
6.2.3 (M-1 LIMITED MANUFACTURING) OF THE BELMONT ZONING ORDINANCE
FOR BUSINESS, PROFESSIONAL AND TRADE SCHOOL USES (APPL. NO. 07-0002)

WHEREAS, a Negative Declaration of Environmental Significance has been prepared for a Zone Text Amendment to Section 6.2.3 (M-1 Limited Manufacturing – Conditional Uses) of the Belmont Zoning Ordinance (Ordinance 360) for Business, Professional and Trade School Uses; and,

WHEREAS, a public hearing was duly noticed, held on April 3, 2007, and closed; and,

WHEREAS, the Planning Commission has considered the impacts of the proposed Zone Text Amendment as set forth in the Initial Study/Negative Declaration of environmental significance attached as part of the April 3, 2007 Staff Report, and finds that there are no significant effects on the environment as stated in the report.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission hereby recommends the City Council adopt a Negative Declaration of Environmental Significance as the appropriate CEQA documentation for the project pursuant to the provisions of the Public Resources Code known as the California Environmental Quality Act, and City-adopted implementation guidelines.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on April 3, 2007 by the following vote:

AYES,
COMMISSIONERS:_____

NOES,
COMMISSIONERS:_____

ABSENT,
COMMISSIONERS:_____

ABSTAIN,
COMMISSIONERS:_____

RECUSED,
COMMISSIONERS:_____

Carlos deMelo
Planning Commission Secretary

RESOLUTION NO. 2007- _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO SECTION 6.2.3
(M-1 LIMITED MANUFACTURING) OF BELMONT ZONING ORDINANCE NUMBER 360
FOR BUSINESS, PROFESIONAL AND TRADE SCHOOL USES

WHEREAS, the applicant, Joel Patterson, requests a zone text amendment to add “Business, Professional, and Trade schools” to the list of conditionally permitted uses in the M-1 Limited Manufacturing Zone (Section 6.2.3 of the Belmont Zoning Ordinance);

WHEREAS, on April 3, 2007, the Planning Commission, following notification in the prescribed manner, conducted a public hearing, at which hearing the Commission considered public testimony and a staff report on an amendment to Section 6.2.3 (M-1 Limited Manufacturing – Conditional Uses) of the Zoning Ordinance; and,

WHEREAS, the Planning Commission hereby adopts the staff report (dated April 3, 2007) and the facts contained therein as its own findings of fact; and,

WHEREAS, the Planning Commission finds the proposed amendments will have no significant adverse effect on the environment and therefore recommends adoption of a Negative Declaration in accordance with the provisions of the California Environmental Quality Act; and,

WHEREAS, the Planning Commission makes the required findings (1-6) outlined in Section 9.5.1(b) in the affirmative as follows:

1) *Will be in accord with the purposes of the district in which the use is proposed.*

The M-1 District provides for and encourages the grouping together of light industrial uses capable of being operated under such standards, as to location and appearance of buildings and the treatment of land about them, that they will be unobtrusive and not detrimental to surrounding commercial or residential uses. Business, professional and trade schools are moderately intensive land uses that do have some potential to impact surrounding properties if not maintained and operated well. While these uses would not be appropriate for the Residential or Commercial Zoning Districts, permitting them conditionally in the M-1 Limited Manufacturing District provides a reasonable alternative for location of such uses. This finding can be made in the affirmative.

2) *Will have the same basic characteristics as the uses permitted in the district.*

Business, professional, and trade schools, while not defined by the zoning ordinance, can be described as school facilities that offer specialized work training. A school facility is not considered a manufacturing use. However, business, professional, and trade school uses will likely have varied hours of operation, with peak usage in the evenings. The surrounding manufacturing uses (8 AM-5 PM operation) are generally not sensitive to vehicle traffic, and evening hours that would be associated with business, professional or trade schools, thus creating an acceptable blend of uses based on peak hour operation. Staff believes that this finding can be made in the affirmative.

3) *Will not be detrimental to the public health, safety or welfare.*

As previously noted, business, professional and trade schools are a moderately intensive land use that would not be appropriate in Residential or Commercial Zoning district where they generally could have detrimental impacts. By permitting them in the M-1 Light Manufacturing Zoning District, which allows for more intense land uses (with a Conditional Use Permit), the City can be assured that these training facilities will not have detrimental impacts on surrounding property owners. This finding can be made in the affirmative.

4) *Will not adversely affect the character of any district in which it is proposed to be permitted.*

Allowing business, professional and trade schools to operate in the M-1 Limited Manufacturing District would not adversely affect the character of the M-1 District, nor is it expected to adversely impact surrounding property owners. Business, professional and trade schools are less intensive than typical manufacturing uses; In addition, the Conditional Use Permit review process enables the City to mitigate and monitor any potential impacts that would otherwise affect the character of the manufacturing district. This finding can be made in the affirmative.

5) *Will not create more vehicular traffic than the volume normally created by any of the uses permitted in the district.*

The size and location of any business, professional, or trade school would be regulated through the Conditional Use Permit process. However, this type of use is not expected to create more vehicular traffic than any other permitted or conditionally permitted use in the M-1 Manufacturing District. Existing permitted uses include light manufacturing facilities, lumber yards, and asphalt/concrete ready-mix plants, all of which could generate more traffic than a school facility. This finding can be made in the affirmative.

6) *Will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the uses permitted in the district.*

A business, professional, or trade school would generally be considered a less intense site use compared to other uses permitted in the M-1 Zone. A school facility would not create significant dust, noise, vibration, illumination, glare, or other objectionable elements that would exceed existing conditions in the M-1 Zone. This finding can be made in the affirmative.

WHEREAS, the Planning Commission, after consideration of all testimony and reports, hereby determines that the proposed amendment to Section 6.2.3 (M-1 Limited Manufacturing – Conditional uses) of the Belmont Zoning Code to allow business, professional and trade school uses with conditional use permit approval in the M-1 District, achieves the objectives of the Zoning Plan and the General Plan for the City. The amendments would provide for controlled development of local manufacturing and industrial areas and a more precise guide for physical development of the City, thereby protecting and promoting the comfort, convenience and general welfare of the community, and fulfilling the General Community Goals and Policies of the General Plan.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission recommends the City Council approve the amendment of Sections 6.2.3 (M-1 Limited Manufacturing – Conditional Uses) of the Zoning Code:

1. Zoning Code Section 6.2.3 shall be revised to read as follows:

6.2.3 CONDITIONAL USES - The following Conditional Uses shall be permitted only when authorized by a Conditional Use Permit issued in accordance with the provisions of Section 11 herein:

- (a) Animal hospitals.
- (b) Asphalt or concrete readymix plant.
- (c) Broadcasting tower for radio or television.
- (d) Disposal of garbage or waste material by sanitary land fill or fill and cover methods, or by composting or incineration.
- (e) Mobile home park.
- (f) Outdoor advertising structure as regulated by the Sign Ordinance of the City.
- (g) Storage, for wholesale or for distribution in bulk, of any flammable liquid.
- (h) Incidental and accessory structures and uses located on the same site with and necessary to the operation of a Conditional Use.
- (i) Truck storage yards and terminals.
- (j) Other uses which, in the opinion of the Planning Commission, are similar to those listed permitted uses.
- (k) ***Business, Professional, and Trade Schools, provided that no Business, professional or Trade School shall be permitted when another property containing a Business, Professional or Trade School is located within 1,000 feet of the property on which the use is proposed. Said distance shall be calculated as a straight line measured from the perimeter of the property on which the school use exists, to the perimeter of the property on which the school use is being proposed.***

* * * * *

I hereby certify that the foregoing resolution was passed and adopted by the Planning Commission of the City of Belmont at a regular meeting held on April 3, 2007 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos deMelo
Planning Commission Secretary

CITY OF BELMONT

ENVIRONMENTAL CHECKLIST FORM



-
1. Project Title: Zone Text Amendment – Section 6.2.3 (M-1 – Limited Manufacturing District – Conditionally permitted Uses) Business, Professional, or Trade Schools in the M-1 Limited Manufacturing Zone
 2. Lead Agency Name: City of Belmont
Address: One Twin Pines Lane, Suite 310
Belmont, CA 94002
 3. Contact Person(s): Jennifer Walker, Associate Planner
Phone Number(s): (650) 595-7453
 4. Project Location: City-wide, all M-1 Designated properties
 5. Application Number(s): PA # 2007-0002
 6. Project Applicant's Name: City of Belmont
Address: One Twin Pines Lane, Suite 310
Belmont, CA 94002
 7. General Plan Designation: City-wide
(II – Light Industry, Ig – General Industry)
 8. Zoning: City-wide, all M-1 Designated properties
 9. Project Description:

The application is an amendment to Section 6.2.3 (M-1 Limited Manufacturing District) of the City of Belmont Zoning Ordinance (BZO). Currently, business, professional, and trade schools are conditionally permitted in the SC – Schools and Compatible Uses Zoning District (BZO Section 7A.2 (d)). Neither the M-1 Limited Manufacturing District nor the M-E Exclusive Manufacturing District currently permits Business, Professional or Trade Schools. The amendment will consider adding a “Business, Professional, and Trade Schools” use to the list of conditionally permitted uses in the M-1 Limited Manufacturing District. The amendment is consistent with the General Plan land use designation and with the intent and purpose of the Zoning Ordinance.

10. Surrounding Land Uses and Setting:

Not applicable. The amendment would apply to all M-1 designated areas in the entire City.

11. Other agencies whose approval is required:

None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project as indicated by the checklist on the following pages.

	Aesthetics		Hazards and Hazardous Materials		Public Services
	Agriculture Resources		Hydrology/Water Quality		Recreation
	Air Quality		Land Use/Planning		Transportation/ Traffic
	Biological Resources		Mineral Resources		Utilities/Service Systems
	Cultural Resources		Noise		Mandatory Findings of Significance
	Geology/Soils		Population/Housing		None

DETERMINATION: On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Carlos de Melo, Community Development Director

Date

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Evaluation of Environmental Impacts

Issues:

I. Aesthetics - Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X

II. Agriculture Resources - Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

III. Air Quality - Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

IV. Biological Resources - Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. Cultural Resources – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

VI. Geology and Soils - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. Hazards and Hazardous Materials - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Hydrology and Water Quality - Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. Land Use and Planning - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

X. Mineral Resources - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

XI. Noise - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or,				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

XII. Population and Housing - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

<i>XIII. Public Services</i>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				X
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Other public facilities?				X
<i>XIV. Recreation</i>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X
XV. Transportation/Traffic - Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
XVI. Utilities and Service Systems – Would the project:				

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

XVII. Mandatory Findings of Significance				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

DISCUSSION OF ENVIRONMENTAL IMPACTS:

The project is a zone text amendment that will consider adding a “Business, Professional, and Trade Schools” use to the list of conditionally permitted uses in the M-1 Limited Manufacturing Zoning District. The amendment is consistent with the General Plan land use designations and with the intent and purpose of the Zoning Ordinance. The project involves no alteration to the physical environment, and no effects on the environment are expected to result from this zone text amendment. No mitigation is required.

INITIAL STUDY SOURCE LIST:

1. City of Belmont General Plan
2. City of Belmont General Plan Noise Element, July 23, 1996
3. City of Belmont Zoning Ordinance
4. Belmont-San Carlos Fire Department
5. City of Belmont Police Department
6. City of Belmont Public Works Department
7. City of Belmont Parks & Recreation Department
8. City of Belmont Planning Commission Staff Report – April 3, 2007